

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

WP(C).No. 14851 of 2007(R)

PETITIONER:

**GRACYKUTTY JOSEPH,
ASSISTANT CHEMICAL EXAMINER,
REGIONAL CHEMICAL EXAMINER'S LABORATORY,
KAKKANAD, ERNAKULAM.**

**BY ADV. SRI.PIRAPPANCODE V.SREEDHARAN NAIR
SRI.PIRAPPANCODE V.S.SUDHIR**

RESPONDENTS:

- 1. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.**
- 2. SECRETARY TO GOVERNMENT,
HOME (E) DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.**
- 3. CHIEF CHEMICAL EXAMINER TO
GOVERNMENT, CHEMICAL EXAMINER'S LABORATORY,
THIRUVANANTHAPURAM.**
- 4. C.RAJESWARI, ASSISTANT CHEMICAL
EXAMINOR, REGIONAL CHEMICAL EXAMINER'S
LABORATORY, KOZHIKODE.**

BY GOVERNMENT PLEADER SRI. P.NANDAKUMAR

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C) NO: 14851/2007 R

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE GO RT NO. 14/4/HOME DATED 1/1/04 OF THE R2.

EXT.P2. COPY OF THE APPLICATION DT. 1/2/007 BY THE PETITIONER BEFORE THE GOVT. FOR GENERAL TRANSFER.

EXT.P3. COPY OF THE GO RT NO. 1087/07/HOME DATED 20/4/07 PROMOTING SMT. C. RAJESWARI, THE R4 HEREIN TO THE POST OF ASST. CHEMICAL EXAMIANER.

EXT.P4. COPY OF THE GO RT NO. 1127/05/HOME DT. 5/5/05.

EXT.P5. COPY OF THE GO RT NO. 1510/2007/HOME DT. 5/6/07.

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K.BALAKRISHNAN NAIR, J.

W.P.(C)No.14851 of 2007 F

Dated this the 5th day of July, 2007.

JUDGMENT

The petitioner is presently working as Assistant Chemical Examiner in the Regional Chemical Examiner's Laboratory, Kakkanad. She is desirous of getting a transfer to Thiruvananthapuram. But, ignoring her superior claim, the 4th respondent has been transferred, who is junior to her. Therefore, this writ petition is filed seeking appropriate reliefs.

2. During the pendency of the writ petition, the petitioner's claim was considered and rejected by Ext.P5. The main ground for rejecting her claim is that the 4th respondent is retiring from service in December, 2007. But, in the said order, it is stated that the petitioner's request for transfer to Thiruvananthapuram will be considered on the retirement of the 4th respondent on 31.12.2007.

This statement is recorded and the writ petition is disposed of.

Sd/-
(K.BALAKRISHNAN NAIR)
JUDGE

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